

MINUTES
RUSH COUNTY BOARD OF ZONING APPEALS
JANUARY 2, 2014
6:30 PM

ROLL CALL: Larry Copley, Mike Holzback, Kevin Tolloty, Lois Hatfield, Rhea Dawn Buckley, Ruth Geise, Sandra Jackson, Gilda Caviness
Absent: David Rogier

MINUTES: Motion was made by Ruth Geise to approve the minutes from December 12, 2013, seconded by Sandra Jackson. Motion passed 4 to 1 with Larry Copley casting a vote of nay because he had not received the minutes.

SPECIAL EXCEPTIONS:

1. City of Rushville, 1250 N. Henderson Road, Rushville, is requesting a special exception for a solid waste transfer station, zoned A-1; agriculture, rural residential.

Mayor Mike Pavey, Agent- For everyone's information we looked at probably ten (10) sites, roughly where to put this. We actually spoke with property owners adjacent to this property trying to get as closely packed in with the fertilizer company and with Pioneer and that didn't go anywhere. We looked back and came to this site which would have least impact and wanted to set this back off of Henderson Road as far as we could. Basically it is a long drive that leads into the Rushville Recycling Center. This concept is one that we can add to in the future to make it a better project. The first entry is where the public would be able to bring in their recycling. There is a weigh station where trucks can be weighed before being dumped. It will benefit the City, County, and also the Solid Waste District.

Lois- What is the code use number for this?

Kevin- The code use number is 485, Solid Waste Disposal.

Larry- Will there only be one vehicle on the premises at a time?

Mayor- According to the transfer station guidelines, I think you have to have your waste taken out within 24 hours. So the semi would be there over night. There would be one (1) trash and one (1) loader truck overnight.

Ruth- Will everything be kept inside at all times?

Mayor- The facility will have doors on it. I have been told they will have approximately eight (8) trucks per day and an average of two (2) semi-trucks per day. Those are trucks that they own. In comparison, Pioneer seems to be in a compatible situation.

Lois- When you say eight (8) trucks per day, will there be other companies allowed to dump there also?

Mayor- This is a benefit for contractors in our area. This facility would allow contractors, farmers or anything else non-toxic to be brought to the facility.

Ruth- So actually this is saving the City trips to the landfill?

Mayor- It will save the City and the Solid Waste District trips and it allows the County to do what they need to do on that facility. One of the things we are trying to do is instead of pushing everything out to places, is to keep everything in one location.

Lois- Does the City own all 113 acres?

Mayor- Yes, we own all 113 acres. We are willing to work with all neighbors and do whatever it takes to please them. For example, we are willing to build mounds, fences, etc. I will put a lot of restrictions in this to make sure it is kept clean.

Larry- I am sure IDEM will see to that.

Mayor- IDEM requires a nine (9) foot fence and we will comply with all of the rules.

Lois- Are there any drainage issues?

Mayor- We are not to that point yet.

AUDIENCE:

Mark Harpring- Please define to me what Solid Waste is and are they going to start dumping sewage there?

Mayor- We are not spending all of this money for that to happen. Let me ask you a few questions. Are you concerned about solid waste from the sewage plant taken out there?

Mark Harpring- I realize that solid waste you're talking about is recyclables.

Mayor- No, not exactly. It is everything you take to the dump. Let's clarify this. First of all, Roger Cain who owns the farm adjacent to us buys our sludge. So I can't tell you that out on that farm there's not going to be sludge because I don't know where he spreads it. Secondly, you're concerned that we are going to take trash out there and it is going to smell. I will tell you that it has to be out of there and to the landfill within 24 hours.

Mark Harpring- I also think sometime down the road that this facility would be used as a sewage station.

Mayor- I think we have another safe guard with our waste facility licensing. We cannot do that. In other words, we just can't change what we do and do it at another location.

Gilda- With the Petition that they have is specifically for a transfer station, so if it is granted, it is for the transfer station only.

Mayor- As for the recycling bins out front, they are for the solid waste. It is not for selling cans, metal or anything else.

Phil Liggett- I have several concerns. Your saying eight (8) trucks. Is that all at once? Are you going to open it up to the public? What kind of driveway are you putting in? Are we going to have a lot of dust? We go through now and pick up shingles and trash that have blown out of trucks into our fields. Who is going to be responsible for picking up all the trash when it falls out all over the road? Where are you building this at? There's a tile under there that drains part of our field but it is on your side of the fence. There is always water standing back there and I don't think I want to put up with all the aggravation that is going to go on back there.

Mayor- We did try to locate it as close to the road as we could but that just wasn't an option. I am here to tell you as honestly as I can and with the most knowledge that I have. I don't think this facility is going to affect adjacent properties.

Phil Liggett- Is this site going to be locked up overnight?

Mayor- Yes. Unless the recycling bins are set outside of the fence then they won't be but everything else will be behind the locked fence. We have to see if this is an acceptable property to use and if the Board says that it is, we will have to run those

numbers and if they don't work, we as owners of the property, have to say we at least gave it a shot.

Ruth- IDEM is so strict with their rules.

Phil Liggett- I understand the rules, but there is still going to be trash in there every day.

Mayor- Yes but it will be inside the building. But I will also tell you that there have been conversations with Pioneer because they would be in a different situation that they are in now. They are wondering how they can get water and sewer out to them. So, I am not sure if that will go any further or not. I am trying to give you as much information as I can. Water is easy to get out there. The problem with sewer is that Pioneer sits low so everything drains down.

Gary Liggett- If you open a facility up to the public, you are going to have problems with trash all over the ground and it becomes an eyesore. It needs to be manned during hours of operation or it will get out of hand.

Mayor- Those are exactly the concerns that we have had. We have had conversations about security and lights. Not just in the back of the lot, but in the front as well.

Gary Liggett- Well, I am opposed to it. Does it save the City money?

Mayor- Yes. I would say it would save an estimate of \$40,000 per year. The City owns the property but CGS will be leasing it.

Kent VanMite- I manage the CO-OP across the road and our concern is if the Transfer Station is closed and someone needs to dump their trash, but your closed, are they going to bring it over and put it in our dumpster? Our other concern is security because we have anhydrous ammonia at our facility.

Gilda- You can place reasonable conditions if someone is inclined to make a motion to grant a special exception to attach to that with X, Y & Z, conditions but as to the basic septic and drainage approval, that even if you are to grant a special exception then the building permit will be issued with those factors.

Lois- What are the setbacks?

Kevin- The setbacks are sixty (60) feet within any lot line under Commercial District.

Gilda- If you wanted to appeal the decision of the Board, petitions should be made to the Circuit Court within thirty (30) days of the Board's decision.

MOTION: by Ruth Geise to grant a special exception to the City of Rushville, 1250 N. Henderson Rd, Rushville for a special exception for a solid waste transfer station, with the following conditions and restrictions:

1. Septic & Drainage Board approval
2. Verification form IDEM

Seconded by Larry Copley. Motion carried by a 3-2 vote.

There was no other business discussed.

ADJOURN: Lois Hatfield made a motion to adjourn, seconded by Larry Copley. All voted AYE.